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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Mail Stop PCT/Missing Requirements  
Commissioner for Patents, P.O. Box 1450  
Alexandria, VA 22313 on the date shown below:

Patent Application  
Docket No. BB-117  
Serial No. 10/506,598

June 1, 2005

David Saliwanchik

David R. Saliwanchik, Patent Attorney

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Andreas Meisel, Konstantin Prass, Christian Meisel, ElkeHalle, Ulrich Dimagl, Hans Dieter Volk

Serial No. : 10/506,598

Conf. No. : 1867

Filed : September 2, 2004

For : Agent for the Preventive Therapy After Acute Stroke

Mail Stop PCT/MISSING REQUIREMENTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Sir:

The Applicants received a Notification of Missing Requirements Under 35 U.S.C. 371 from the United States Designated/Elected Office (DO/EO/US), dated April 15, 2005 in the above-referenced patent application. The Notification requests that the applicants submit an executed Declaration and Power of Attorney form.

Docket No. BB-117  
Serial No. 10/506,598

Transmitted herewith is a fully executed Declaration (37 CFR 1.63) and Power of Attorney form for the subject patent application.

Also, it has come to the unsigned' attention that the subject application was erroneously filed as a small entity when in fact this application should have been filed as a large entity. Therefore, please charge the additional filing fee of \$503.00 (difference between large and small) to the applicants deposit account 19-0065.

Also, please charge the surcharge of \$130 for the late-filed Declaration (37 CFR 1.63) to Deposit Acct. No. 19-0065. The Commissioner is hereby authorized to charge any additional fees that may be required to Deposit Account No. 19-0065. Two copies of this letter are enclosed.

Respectfully submitted,



David R. Saliwanchik  
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Gainesville, FL 32614-2950

DRS/la

Attachments: Executed Declaration (37 CFR 1.63) and Power of Attorney forms;  
Copy of Notice to File Missing Requirements; and  
Copy of original Transmittal Letter (with fees) as submitted to the PCT/US PTO

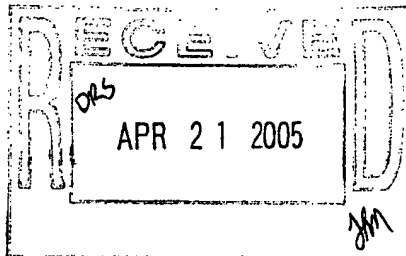


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/506,598	Andreas Meisel	BB-117

23557  
 SALIWANCHIK LLOYD & SALIWANCHIK  
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INTERNATIONAL APPLICATION NO.	
PCT/EP03/02246	
I.A. FILING DATE	PRIORITY DATE
03/05/2003	03/05/2002

CONFIRMATION NO. 1867  
 371 FORMALITIES LETTER



\*OC000000015694985\*

Date Mailed: 04/15/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/02/2004
- Copy of the International Search Report filed on 09/02/2004
- Preliminary Amendments filed on 09/02/2004
- Oath or Declaration filed on 09/02/2004
- Request for Immediate Examination filed on 09/02/2004
- U.S. Basic National Fees filed on 09/02/2004
- Priority Documents filed on 09/02/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/506,598	PCT/EP03/02246	BB-117

FORM PCT/DO/EO/905 (371 Formalities Notice)